IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

Bail Appl..No. 2221 of 2007()

CRIME NO. 127 OF 2007 OF BEKAL POLICE STATION

PETITIONERS :

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1. VIJAYAN,AGED 35 YEARS,S/O.V.M.AMBU, KANIYAMPADI,A.K.ROAD,BEKAL P.O,KASARGOD DISTRICT.

2. BABU,AGED 33 YEARS,S/O.V.M.AMBU, KANIYAMPADI,A.K.ROAD,BEKAL P.O,KASARGOD DISTRICT.

3. ANEESH KUMAR,AGED 29 YEARS,S/O.V.M.AMBU, KANIYAMPADI,A.K.ROAD,BEKAL P.O,KASARGOD DISTRICT.

BY ADV. SRI.T.K.VIPINDAS

RESPONDENTS:

STATE OF KERALA REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA,ERNAKULAM REPRESENTING S.H.O BEKAL POLICE STATION.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 2221 of 2007

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DATED: 12-04-2007

O R D E R

Petitioners three in number and who are brothers seek anticipatory bail. They are accused Nos. 1 to 3 in Crime No. 127 of 2007 of Bekal Police Station for offences punishable under Sections 341, 323 and 324 read with Sec. 34 I.P.C.

2. The case of the prosecution is that the de facto complainant is the husband of the only sister of the petitioners and consequent on his contracting another marriage the petitioners are alleged to have attacked him resulting in his sustaining injuries inlcuding fracture of a metacarpel.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioners and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioners on bail for a period of one month in the event of their arrest in connection

with the above case on each of them executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. Petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

3. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. Petitioners shall not commit any offence while on bail.

5. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,

JUDGE.

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